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PATENT
Attorney Docket No.: 021630-000320US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MICHAEL V. CHOBOTOV

Application No.: 09/970,576

Filed: October 4, 2001

For: LAYERED ENDOVASCULAR
GRAFT

Customer No.: 20350

Confirmation No.: 2628

Examiner: Cheryl L. Miller

Technology Center/Art Unit: 3738

INTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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TECHNOLOGY CENTER R3700

Dear Sir:

Applicant thanks the Examiner for the kind and courteous telephonic interview of September 4, 2003. Applicant faxed a draft amendment to the Examiner prior to the interview. In the interview, Applicant and the Examiner discussed independent claims 1, 19, 32, and 38 in light of Silverman and Dereume et al. No exhibits were shown or discussed.

In regards to the rejections based on the Silverman reference, Applicant noted that Silverman does not describe separate graft members that are "configured to be separately layered in a deployment state in the weakened body lumen." The Examiner stated that the "configured to be separately deployed" limitation was not considered in determining patentability of the claims. Applicant argued that all words in a claim must be considered in determining patentability of the claim.

In regards to the rejections based on the Dereume et al. reference, Applicant argued that Dereume et al. does not describe or suggest having two overlapping layers over the weakened portion of the vessel. Instead Dereume had an overlap section that was less than the length of the patient's weakened body lumen.

While no agreement was reached, Applicant submits that the claims, as filed in the response of September 4, 2003, are allowable.

CONCLUSION

If the Examiner believes an additional telephone conference would expedite prosecution of this application, please telephone the undersigned at 206-467-9600.

Respectfully submitted,

Dated: 10/7/03

By: Craig P. Wong
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